

REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 36, 38, and 39 are pending in the present application. Claims 36 and 38 have been amended to address the formal matters raised in the outstanding Official Action.

In the outstanding Official Action, claims 36, 38 and 39 were rejected under 35 USC §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant believes the present amendment obviates this rejection.

Claim 36 was rejected for reciting the term "whereby cAMP levels vary with expression of the reactant". However, as suggested by the Examiner, claim 36 has been amended to recite the phrase "whereby reactant expression varies with the levels of cAMP". At this time, applicant would like to thank Examiner Nolan for his suggestion as how to overcome this rejection.

Claim 38 was rejected for reciting the phrase "reactant enzyme". The Official Action stated that the phrase lacked antecedent basis. Claim 38 has been amended so that this term is no longer recited in the claim. Rather, claim 38 recites that "the reactant is a luciferase and/or the substrate is luciferin".

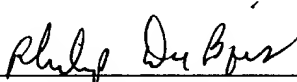
As a result, applicant believes that claim 38 is definite to one skilled in the art.

In view of the present amendment and the foregoing remarks, therefore, applicant believes that the present application is in condition for allowance at the time of the next Official Action.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

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